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RULES

FOR

CONDUCTING BUSINESS

IN

THE SENATE

OF THE

CONFEDERATE STATES OF AMERICA.

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# RULES

OF

## THE SENATE.

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I. The president having taken the Chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistakes in the entries shall, upon motion, then be corrected.

II. No Senator shall speak to another, or otherwise interrupt the business of the Senate while the Journals or public papers are being read, or when any Senator is speaking in debate.

III. Every Senator, when he speaks, shall address the Chair, standing in his place, and when he has finished shall sit down.

IV. No Senator shall speak more than twice in any one debate, on the same question and on the same day, without leave of a majority of the Senators present.

V. When two or more Senators rise at the same time, the President shall name the one to speak, but in all cases the Senator who shall first rise and address the Chair shall speak first.

VI. The President shall preserve order and decorum; may speak to points of order in preference to any Senator rising from his seat for that purpose; and shall decide questions of order, subject to an appeal, by any Senator,

to the decision of the Senate ; he may also take the sense of the Senate on any question of order at his own instance ; and may call any Senator to the Chair, to preside temporarily, not to extend beyond that day's session.

VII. The duties and powers of the President *pro tempore*, when occupying the Chair, shall be the same as those of the President, in these rules specified.

VIII. When any Senator is called to order by the President or any Senator, he shall sit down, and shall not proceed without leave of the Senate ; and every question of order shall be decided by the President without debate, subject to an appeal to the body.

IX. If any Senator be called to order by another Senator, for words spoken, the exceptionable words spoken shall immediately be taken down in writing, that the President may be better able to judge the matter.

X. No Senator shall, in debate, use any language reflecting injuriously upon the character, motives, honor or integrity of any other Senator.

XI. No motion shall be debated until the same shall receive a second, and when a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any Senator, delivered in at the table, and read, before the same shall be debated.

XII. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment or other action of the Senate upon it, except a motion to reconsider, which shall not be withdrawn without leave of the body.

XIII. When a question has been once made and carried in the affirmative or negative, a motion to reconsider shall be entertained at the instance of any Senator, if made on the same day on which the vote was taken, or within

the next two days of actual session. When a motion to reconsider shall be made, its consideration shall take precedence of the regular order of business, unless a majority of the Senators present shall otherwise determine.

XIV. When a question is under debate, no motion (except one to reconsider some other question passed upon) shall be received, but to adjourn; to lie on the table; to postpone indefinitely; to postpone to a day certain; to commit or amend; which several motions shall have precedence in the order they stand arranged, and the motion to adjourn shall always be in order and decided without debate; but a motion to reconsider shall be received and entered, if made after a motion to adjourn and before it is decided.

XV. If the question for decision contains several parts, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; and the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent motion simply to strike out, nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

XVI. In filling up blanks, the largest sum and the longest time shall be first put.

XVII. The unfinished business in which the Senate may be engaged, on adjournment, shall be the first business in order on the next day's sitting.

XVIII. After the Journal is read, and the unfinished business, if any, of the previous day's sitting is disposed of, the regular order of business shall be as follows:

1st. The call of the States alphabetically for memorials, or any matter, measure, resolution, bill, or proposition

which any Senator may desire to bring before the Senate.

2. The call of Committees for reports—the call of Committees to be made in the order of their appointment—such reports of Committees as may not be otherwise disposed of when made, as well as all bills and resolutions introduced by individual Senators, not similarly disposed of, shall be numbered in the order in which they are presented, and be placed in that order on the Calendar of the regular orders of the day. The call of Committees or States each day to be resumed where it may be left off the day preceding.

3d. The Calendar of the regular orders of the day shall then be taken up, and every resolution, proposition, bill or measure shall be disposed of in the order in which it there stands. No special order shall be made against this rule except by a vote of a majority of Senators present, and such majority may at any time change the order of business.

XIX. Executive messages, communications from the heads of Departments, as well as messages and bills from the House of Representatives, shall be disposed of in the order in which they may be respectively received, at such time as a majority of the Senators present may direct.

XX. Every resolution, bill or measure requiring the concurrent action of both Houses of Congress shall receive three readings previous to its being put upon its passage. The President shall give notice at each reading whether it be the first, second or third reading. No such resolution, bill or measure shall be committed or amended until it shall have been twice read, after which it may be subject to a motion to amend or to refer to a Committee. And



all such matters, on second reading, shall first be considered by the Senate in the same manner as if the Senate were in Committee of the Whole. The final question on the second reading of any matter not referred to Committee shall be "whether it shall be engrossed and read a third time?" and no amendment shall be received after the engrossment for a third reading has been ordered. But it shall at all times be in order, before the final passage or action on any matter, to move its commitment, and should such commitment take place, and any amendment be reported by the Committee, the whole shall again be read a second time, and considered as in Committee of the Whole, and then the aforesaid question shall again be put.

XXI. After any matter is ordered to be engrossed, and it has been read a third time, the question shall be, "Shall the resolution (or the matter, whatever it may be,) now pass?"

XXII. A majority of the Senate may dispense with the actual engrossment of the bill before it is put on its passage.

XXIII. All bills and joint resolutions on the first and second reading may be read by the title, unless the reading of the whole shall be desired by a majority of the Senators present, and the third reading of the engrossed bill shall be by the title.

XXIV. The titles of resolutions, bills, and other matters submitted, and such parts thereof only as may be affected by proposed amendments, shall be inserted on the Journals.

XXV. No motion for the previous question shall be entertained but upon the call of any Senator for *the question*, if seconded by a majority of the Senators present,

the vote shall immediately be taken on the pending question, whatever it may be, without further debate.

XXVI. A motion to lay any amendment on the table prevailing, shall carry with it only the amendment, and not the original proposition or matter.

XXVII. No Senator shall absent himself from the service of the Senate without leave of the Senate first obtained, and a majority of the Senators present at any time, are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them named, for any or all absent Senators, at the expense of such absent Senator or Senators, unless such excuse for non-attendance shall be made as the Senate may judge sufficient, and in that case the expense shall be paid out of the contingent fund. This rule to apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate may stand adjourned.

XXVIII. When the yeas and nays shall be called for by one-fifth of the Senators present, each Senator called upon shall declare openly and without debate his assent or dissent to the question, unless for special reason he be excused by the Senate. In taking the yeas and nays, and upon a call of the Senate, the names of the Senators shall be taken alphabetically.

XXIX. When the yeas and nays shall be taken upon any question in pursuance of the above rule, no Senator shall be permitted, except by the unanimous consent of the Senate, to vote after the decision is announced from the Chair.

XXX. When the Senators are equally divided on any question, the Secretary shall take the decision of the President.

XXXI. The following standing committees shall be appointed at the beginning of each Congress, with leave to report by bill or otherwise.

A Committee on Foreign Relations, to consist of five members.

A Committee on Finance, to consist of five members.

A Committee on Commerce, to consist of five members.

A Committee on Military Affairs and Militia, to consist of five members.

A Committee on Naval Affairs, to consist of five members.

A Committee on the Judiciary, to consist of five members.

A Committee on Indian Affairs, to consist of five members.

A Committee on Post Offices and Post Roads, to consist of five members.

A Committee on Public Lands, to consist of three members.

A Committee on Patents and Patent Office, to consist of three members.

A Committee on Claims, to consist of three members.

A Committee on Territories, to consist of three members.

A Committee on Accounts, to consist of three members, to whom shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate, or creating a charge on the same.

A Committee on Printing, to consist of three members.

A Committee on Engrossment and Enrollment, to consist of three members.

XXXII. In the appointment of the standing committees, the Senate shall proceed by ballot severally to

appoint the chairman of each committee, and then by one ballot the other members necessary to complete the same, and a majority of all the votes given shall be necessary to a choice of a chairman of a standing committee.

XXXIII. When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be first put.

XXXIV. All confidential communications made by the President of the Confederate States to the Senate shall be by the Senators kept secret, and all treaties which may be laid before the Senate shall also be kept secret until the Senate shall, by their resolution, take off the injunction of secrecy.

XXXV. All the information or remarks in the Senate, touching or concerning the character or qualifications of any person nominated by the President to office, shall be kept a secret, except to the person involved, or, in his absence, to his agent or friend, but in no event shall the name of a Senator, making charges or remarks be disclosed, under penalty of expulsion.

XXXVI. When acting on confidential or executive business, the Senate shall be cleared of all persons except the Secretary and his assistants, the Sergeant-at-Arms, the Door-Keeper and the Assistant Door-Keeper; all of which officers shall take an oath, to be administered by the President of the Senate, not to divulge or disclose any matter or thing coming to their knowledge within the secret session of the Senate.

XXXVII. The legislative proceedings, the executive proceedings, and the confidential legislative proceedings shall be kept in separate and distinct books.

XXXVIII. The President of the Confederate States

shall, from time to time, be furnished with an authenticated transcript of the executive records of the Senate, and all nominations approved or definitely acted on by the Senate, shall be returned by the Secretary from day to day, as such proceedings may occur, but no further extract from the executive journal shall be furnished except by special order, and no paper except original treaties transmitted to the Senate by the President of the Confederate States, or any executive officer, shall be returned or delivered from the office of the Secretary, without an order of the Senate for that purpose.

XXXIX. Messages shall be sent to the House of Representatives by the Secretary or his assistant.

XL. Messages shall be received in any state of business, except where a question is being put, while the yeas and nays are being called, or while the ballots are being counted.

XLI. No motion shall be deemed in order, to admit any person or persons whatsoever, within the doors of the Senate Chamber to present any petition, memorial or address, or to hear any such read.

XLII. Stenographers and reporters for the press, wishing to take down the proceedings of the Senate, may be admitted by the President, who shall assign to them such places on the floor to effect their object as shall not interfere with the convenience of the Senators.

XLIII. On motion made by any Senator, seconded by another, to close the doors on the presentation or discussion of any matter which may, in the opinion of such Senator, require secrecy, the President shall direct the doors to be closed, and, upon the doors being closed, a vote shall be taken as to whether the matter in hand shall be debated and determined in secret session or not, and a

majority shall decide the question, and, during the discussion of such question in secret session, no one shall be permitted to remain within the Senate Chamber but the President, the Senators, and the officers of the body, as in case of executive session.

XLIV. Any officer or Senator, convicted of disclosing any matter directed by the body to be held in confidence, shall be liable, if an officer, to dismissal from service, and in case of a Senator, to suffer expulsion from the body.

XLV. All motions to print extra copies of any bill, report, or other document, shall be referred to the Committee on Printing.

XLVI. During the existence of war, all propositions affecting our foreign relations, or relating to the public defence, shall be submitted and acted on in secret session, unless otherwise ordered by a majority of the Senate.

XLVII. All cases that may arise in the proceedings of the Senate, not provided for in the foregoing rules, shall be governed by the general principles of parliamentary law, as laid down in Jefferson's Manual.

XLVIII. The rules may be amended by a majority of Senators, on one day's notice being given.

XLIX. The President *pro tempore* of the Senate shall retain his right as a member to vote upon all questions.

L. The Senator who may be chosen President *pro tempore* of the Senate shall hold and exercise the right and duties of that office until the beginning of a new Congress and election of his successor.

JOINT RULES AND ORDERS  
OF THE  
TWO HOUSES  
OF THE  
CONFEDERATE CONGRESS.

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I. In every case of an amendment of a bill agreed to in one House and dissented to in the other, if either House shall request a conference, and appoint a committee for that purpose, and the other House shall also appoint a committee to confer, such committees shall, at a convenient hour, to be agreed upon by their chairman, meet in the Conference Chamber, and state to each other, verbally or in writing, as either shall choose, the reasons of their respective Houses for and against the amendment, and confer freely thereon.

II. When a message shall be sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Door-Keeper, and shall be respectfully communicated to the Chair by the person by whom it may be sent.

III. The same ceremony shall be observed when a messenger shall be sent from the House of Representatives to the Senate.

IV. Messages shall be sent by the Secretary or Clerk of either House, or their assistants, or by a member.

V. While bills are on their passage between the two Houses, they shall be on paper, and under the signature of the Secretary or Clerk of each House, respectively.

VI. After a bill shall have passed both Houses, it shall be duly enrolled on parchment or paper, by the Clerk of the House of Representatives, or the Secretary of the Senate, as the bill may have originated in the one or the other House, before it shall be presented to the President of the Confederate States.

VII. When bills are enrolled, they shall be examined by a Joint Committee of three from the Senate and three from the House of Representatives, appointed as a Standing Committee for that purpose, who shall carefully compare the enrolment with the engrossed bills, as passed in the two Houses, and correcting any errors that may be discovered in the enrolled bills, and make their report forthwith to their respective Houses.

VIII. After examination and report, each bill shall be signed in the respective Houses, first by the Speaker of the House of Representatives, then by the President of the Senate.

IX. After a bill shall have been thus signed in each House, it shall be presented, by the Secretary of the Senate, to the President of the Confederate States, for his approbation, (it being first endorsed on the back of the roll, certifying in which House the same originated, which endorsement shall be signed by the Secretary or Clerk, as the case may be, of the House in which the same originated,) and shall be entered on the Journal of each House. The said Secretary shall enter upon the Journal the day of presentation to the President.

X. All orders, resolutions and votes, which are to be presented to the President of the Confederate States for



his approbation, shall also, in the same manner, be previously enrolled, examined and signed, and shall be presented in the same manner as provided in the case of bills.

XI. When a bill or resolution which shall have passed in one House is rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

XII. When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session, without a notice of two days, and leave of two-thirds of that House in which it shall be renewed.

XIII. Each House shall transmit to the other all papers on which any bill or resolution shall be founded.

XIV. After each House shall have adhered to their disagreement, a bill or resolution shall be lost.

XV. No spirituous liquors shall be offered for sale, or exhibited within any of the rooms appropriated for the use of the Confederate Congress.

XVI. After the commencement of the second or subsequent session of Congress, bills resolutions or reports, which originated in either House, and at the close of the next preceding session remained undetermined in either House, may be resumed, on motion, and acted on in the same manner as if an adjournment had not taken place.

XVII. The enacting words of all bills shall be "*The Congress of the Confederate States of America do enact,*" and of all joint resolutions—"Resolved by the Congress of the Confederate States of America."

XVIII. Members of either House shall be admitted to the floor of the other House when in secret legislative session.

## APPENDIX

## APPENDIX.

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RESOLUTION I. *Resolved by the Senate and House of Representatives,* That the members of the two Houses may confer with each other, confidentially, upon measures which have been, or are, under consideration in secret legislative session in their respective bodies. [Journal March 8, 1862.]

RESOLUTION II. *Resolved,* That Senators have leave to communicate, confidentially, with the President and heads of Departments, concerning business which may be transacted in secret legislative session. [Journal March 10, 1862.]

RESOLUTION III. *Resolved,* That Rule thirty-eight does not require that transcripts of the entire executive record of the Senate shall be furnished the President of the Confederate States, or that the yeas and nays on nominations, or that motions, resolutions, or current proceedings touching nominations should be sent to him; but that the Constitution contemplates unreserved confidence between the President and the Senate respecting all executive matters before the Senate, and that, therefore, a complete record should be furnished him of all motions, resolutions, yeas and nays, or proceedings of record concerning nominations to office by the President, as well as treaties; and that Senators should be at liberty to communicate as freely with the President as with each other about all such nominations and treaties, and the action of the Senate thereon.

That Rules thirty-four, thirty-five and forty-four forbid a Senator from communicating to any one how he voted, or how any other Senator voted on any nomination or treaty, or any motion or resolution relating to a nomination or treaty considered in executive session, or communicating to any one his own speech or remarks, or that of any other Senator on any such nomination or treaty, or any such motion or resolution; excepting only Senators, or the President or Vice-President of the Confederate States, in respect to both nominations and treaties, and excepting further, that information or remarks touching the character or qualifications of one nominated by the President to office may be told him, or, in his absence, may be told his agent or friend, without disclosing the name of the Senator making the charges or remarks. And this obligation to keep secret the proceedings in executive session remains in full force until the injunction of secrecy has been removed by order of the Senate. But any Senator may disclose the confirmation or rejection of a nomination after it has been finally acted on by the Senate, telling only the result, but not the number of votes for or against the nominee, or by whom cast.

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